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FILED

NOV 13 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

DERRICK WALKER
a/k/a Sin

Criminal No. 19-346
(21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and
846; 18 U.S.C. §§ 922(g)(1) and 931).

INDICTMENT

COUNT ONE

The grand jury charges:

On or about June 15, 2019, in the Western District of Pennsylvania, the defendant, DERRICK WALKER a/k/a Sin, did knowingly, intentionally and unlawfully distribute a quantity of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as fentanyl, a Schedule II controlled substance, and the death of C.B., a person known to the grand jury, resulted from the distribution and use of that mixture and substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWO

The grand jury further charges:

On or about June 24, 2019, in the Western District of Pennsylvania, the defendant, DERRICK WALKER a/k/a Sin, did knowingly, intentionally and unlawfully possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, and N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THREE

The grand jury further charges:

On or about June 24, 2019, in the Western District of Pennsylvania, the defendant, DERRICK WALKER a/k/a Sin, did knowingly, intentionally and unlawfully possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as fentanyl, a Schedule II controlled substance, and a quantity of a mixture and substance containing heroin, a Schedule I controlled substance, and N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FOUR:

The grand jury further charges:

From in and around 2018, and continuing thereafter to August 26, 2019, in the Western District of Pennsylvania, the defendant, DERRICK WALKER a/k/a Sin, did knowingly, intentionally and unlawfully conspire with persons both known and unknown to the grand jury, to possess with intent to distribute and distribute more than 40 grams of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as fentanyl, a Schedule II controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vi).

In violation of Title 21, United States Code, Section 846.

COUNT FIVE

The grand jury further charges:

On or about June 24, 2019, in the Western District of Pennsylvania, the defendant, DERRICK WALKER a/k/a Sin, knowing he had previously been convicted of each of the following crimes each punishable by imprisonment for a term exceeding one year, in the Criminal Division of the Allegheny County Court of Common Pleas, Commonwealth of Pennsylvania:

1) On or about March 1, 2011, at Docket Number 200913657, of Aggravated Assault with a Deadly Weapon, in violation of 18 Pa.C.S. § 2702(a)(4);

2) On or about January 23, 2018, at Docket Number 201606900, of Possession of a Firearm by a Prohibited Person, in violation of 18 Pa.C.S. § 6105(a)(1); and

3) On or about January 23, 2018, at Docket Number 201612589, of Possession with Intent to Deliver or Delivery of a Controlled Substance, in violation of 35 P.S. § 780-113(a)(30).

knowingly possessed, in and affecting interstate commerce, ammunition, to wit:

- 1) Speer 45 Auto ammunition;
- 2) CCI 357 Magnum ammunition;
- 3) CBC 357 Magnum ammunition
- 4) Remington 357 Magnum ammunition
- 5) Federal 357 Magnum ammunition
- 6) Remington 12 Gauge ammunition
- 7) Remington 380 Auto ammunition

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT SIX

The grand jury further charges:

On or about June 24, 2019, in the Western District of Pennsylvania, the defendant, DERRICK WALKER aka Sin, knowing he had been previously convicted of an offense that would constitute a crime of violence, as defined in 18 U.S.C. § 16(a), because that offense has as an element the use, attempted use, and threatened use of physical force against the person or property of another, that is, on or about March 1, 2011, at Docket Number 20913657, in the Court of Common Pleas, County of Allegheny, Criminal Division, Commonwealth of Pennsylvania, of the crimes of Aggravated Assault with a Deadly Weapon, in violation of 18 Pa.C.S. § 2702(a)(4), did knowingly own and possess body armor, said body armor having been previously shipped and transported in interstate and foreign commerce.

In violation of Title 18, United States Code, Section 931.

COUNT SEVEN

The grand jury further charges:

On or about August 26, 2019, in the Western District of Pennsylvania, the defendant, DERRICK WALKER a/k/a Sin, knowing he had previously been convicted of each of the following crimes each punishable by imprisonment for a term exceeding one year, in the Criminal Division of the Allegheny County Court of Common Pleas, Commonwealth of Pennsylvania:

- 1) On or about March 1, 2011, at Docket Number 200913657, of Aggravated Assault with a Deadly Weapon, in violation of 18 Pa.C.S. § 2702(a)(4);
- 2) On or about January 23, 2018, at Docket Number 201606900, of Possession of a Firearm by a Prohibited Person, in violation of 18 Pa.C.S. § 6105(a)(1); and
- 3) On or about January 23, 2018, at Docket Number 201612589, of Possession with Intent to Deliver or Delivery of a Controlled Substance, in violation of 35 P.S. § 780-113(a)(30).

knowingly possessed, in and affecting interstate commerce, a firearm and ammunition, to wit:

- 1) Walther Pistol, model PPX, caliber .40 S&W SN FAU2201; and
- 2) Armcor USA Ammunition.

In violation of Title 18, United States Code, Section 922(g)(1)

FORFEITURE ALLEGATION

1. The grand jury re-alleges and incorporates by reference the allegations contained in Counts One through Seven of this Indictment for the purpose of alleging criminal forfeiture pursuant to Title 18, United States Code, Section 924(d)(1), Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Sections 853(a)(1) and 853(a)(2).

2. As a result of the knowing commission of the violations of Title 18, Section 922(g)(1), charged in Counts Five and Seven of the Indictment, the following firearms and ammunition, which were involved and used in the knowing commission of that offense, are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1):

- a) Speer 45 Auto ammunition;
- b) CCI 357 Magnum ammunition;
- c) CBC 357 Magnum ammunition
- d) Remington 357 Magnum ammunition
- e) Federal 357 Magnum ammunition
- f) Remington 12 Gauge ammunition
- g) Remington 380 Auto ammunition
- h) Walther Pistol, model PPX, caliber .40 S&W SN FAU2201; and
- i) Armcor USA Ammunition.

3. As a result of the knowing commission of the violations of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(C), as charged in Counts One through Four of the Indictment, the defendant did acquire the following property, which constitutes, and is derived from, the proceeds obtained, directly and indirectly, from such violations and/or said property was used to facilitate the commission of said violations, thereby subjecting said property to forfeiture to the United States of America, pursuant to Title 21, United States Code, Sections 853(a)(1) and 853(a)(2):

- a) Speer 45 Auto ammunition;
- b) CCI 357 Magnum ammunition;
- c) CBC 357 Magnum ammunition
- d) Remington 357 Magnum ammunition
- e) Federal 357 Magnum ammunition
- f) Remington 12 Gauge ammunition
- g) Remington 380 Auto ammunition
- h) Walther Pistol, model PPX, caliber .40 S&W SN FAU2201
- i) Armcor USA Ammunition
- j) North American Arms 22 mag revolver serial number U6566
- k) KIT Derringer .44 caliber black powder single shot pistol;
- l) Tactical vest with metal plates' and
- m) \$2023 in United States currency

NOTICE OF SPECIAL FINDINGS

The grand jury further finds:

1. As to Count Four, the defendant, DERRICK WALKER a/k/a Sin:

(a) Was previously convicted on or about March 2, 2011 at Criminal Docket number 200913567 in the Court of Common Pleas of Allegheny County, Commonwealth of Pennsylvania, of the crime of Aggravated Assault with a Deadly Weapon, in violation of 18 Pa.C.S. § 2702(a)(4);

(b) served a term of imprisonment of more than twelve months that offense;
and

(c) was released from any term of imprisonment for that offense within fifteen years of the commencement of the offenses charged in Count Four.

A True Bill,


FOREPERSON


SCOTT W. BRADY
United States Attorney
PA ID No. 88352